

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

TAMMY JEAN COON,

Plaintiff,

V.

CAROLYN W. COLVIN, Acting
Commissioner of the Social Security
Administration.

Defendant.

CASE NO. 12-cv-06012-RBL-JRC

REPORT AND RECOMMENDATION
ON STIPULATED MOTION FOR
REMAND

This matter has been referred to Magistrate Judge J. Richard Creaturea pursuant to 28

U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews*, *Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration. (ECF No. 19.)

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

1 On remand, based on the parties' stipulation, this Court recommends that the
2 Administrative Law Judge ("ALJ") hold a new hearing and issue a new decision. The ALJ
3 should request and evaluate any additional medical records, including records relating to the
4 plaintiff's psychiatric hospitalization at St. Joseph's Medical Center in March 2011; reassess the
5 medical records already in the file as necessary; consider all of the plaintiff's mental impairments
6 and perform new step two and three analyses; reevaluate the plaintiff's credibility; determine a
7 new residual functional capacity, taking into account all severe and non-severe impairments;
8 perform a new step five analysis, including obtaining additional vocational expert testimony, if
9 necessary; and issue a new decision.

10 This Court further recommends that the ALJ take any other actions necessary to develop
11 the record. In addition, plaintiff should be allowed to submit additional evidence and arguments
12 to the ALJ on remand.

13 Given the facts and the parties' stipulation, the Court recommends that the District Judge
14 immediately approve this Report and Recommendation and order that the case be **REVERSED**
15 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

16 Dated this 6th day of May, 2013.

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19 J. Richard Creatura
20 United States Magistrate Judge
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